

REMARKS

Claims 1-9 and 17-22 were pending for this application. Applicants have herewith submitted new claims 23-24 and have amended claims 1 and 17. The new claims and amended claims are fully supported by the original application as filed and do not constitute new matter. For example, support for the amino acid substitutions (to the sequence of the heptad repeat region of gp41) of the invention may be found throughout the original specification, particularly in the sections "Example 2" and "Example 3," beginning at page 24, line 10 and continuing to page 33, line 14.

Applicants wish to thank Examiner Jeffrey Parkin for courtesies extended during an personal interview conducted November 30, 2006 with Applicant's representatives, including Bud Nelson and Greg Gibbs, and in directly related follow-up telephonic discussions in early 2007 with Greg Gibbs. All claims were discussed generally; no exhibits or demonstratives were shown. A general agreement was reached as to the claims and the nature of amendments to be made thereto; the amendments and remarks herein thus reflect the content of these discussions.

**The Rejection Under 35 U.S.C. §112, First Paragraph ("Written Description"),
Should Be Withdrawn**

The Examiner has rejected claim 1-8 and 17-22 under 35 U.S.C. § 112, first paragraph, for allegedly containing subject matter not described in the specification in such fashion to convey to one of skill in the relevant art that the inventors possessed the claimed invention at the time of filing. In particular, the Examiner raises issues as to whether the original application supported variants and polymorphisms of SEQ ID NO:1 as broadly as claimed by Applicants.

In response, Applicants note that the relevant claims have been amended, in an effort to promote clarity, so as, *inter alia*, to particularize the SEQ ID NO:1 polymorphisms as being those presented in the sequences listed in FIG. 2 of the original application. Additional discussion in the specification for these polymorphisms of SEQ ID NO:1 may be found, *e.g.*, at page 6, line 32 to page 7, line 1; page 9, lines 6-8; and page 10, lines 1-4. As such, one of ordinary skill in the art would thus readily recognize that Applicants had possession of the claimed subject matter at the time of filing. Applicants believe that the present amendments to the claims hereby obviate the present rejection under 35 U.S.C. § 112, first paragraph, and Applicants ask that the Examiner reconsider and withdraw this rejection under 35 U.S.C. §

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112, first paragraph. Applicants further respectfully request that the Examiner grant an allowance for the new and pending claims as currently recited.

CONCLUSION

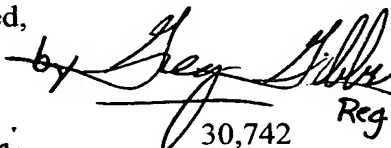
Applicants respectfully request entry of the amendment and remarks into the file of the application. Should any issue remain, the Examiner is respectfully encouraged to telephone the undersigned to discuss the same. In the event any additional fee is required, beyond that which is included herewith, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

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Enclosures